

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

FRED CURNOW and KATHLEEN
CURNOW,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

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Civil Action No. 5:19-CV-805-XR

ORDER

On this day the Court considered the status of this case. Federal Rule of Civil Procedure 42(a) provides that if actions “involve a common question of law or fact,” the court may “consolidate the actions” or “issue any other order to avoid unnecessary cost or delay.” FED. R. Civ. P. 42(a). The decision to consolidate actions under Rule 42(a) is “entirely within the discretion of the district court as it seeks to promote the administration of justice.” *Gentry v. Smith*, 487 F.2d 571, 581 (5th Cir. 1973).

Many cases stemming from the Sutherland Springs shooting of November 5, 2017, have already been consolidated, with 5:18-CV-555-XR being the lead case, because they share common questions of law and fact. This case shares the same common questions of law and fact as the consolidated cases. Accordingly, it is ORDERED that this case, 5:19-CV-805-XR, is consolidated with the lead case, 5:18-CV-555-XR.

It is so ORDERED.

SIGNED this 12th day of July, 2019.

A handwritten signature in black ink, consisting of a large, stylized 'X' followed by a series of loops and a horizontal stroke.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE